



Atty. Dkt. No. 065691-0408

IFM

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Dominique BOUREL et al.

Title: THERAPEUTIC PRODUCTS  
WITH ENHANCED ABILITY  
TO IMMUNOMODULATE  
CELL FUNCTIONS

Appl. No.: 10/551,819

International 4/5/2004

Filing Date:

371(c) Date: 6/12/2006

Examiner: Ilia Ouspenski

Art Unit: 1644

Confirmation 3972  
Number:

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the election of species set forth in the Office Action mailed August 07, 2008, Applicants hereby provisionally elect the species A, wherein the cell line is YB2/0.

Claims 1-3, 48-63, and 94-98 are presently under consideration. Claims 64-93 remain withdrawn. Claims 4-47 are cancelled.

Claims 1-3, 48-55, 57-59, 61-62, 64-66, 68-70, 72-74, 76-97 encompass the elected species, Species A. Applicants reserve the right to file one or more divisional applications directed to the subject matter of non-elected claims.

Applicants respectfully submit that claims 1-3, 48-54 and 94-97 under consideration generic, which are readable on all of Species A-D set forth in this Office Action.

Applicants now await an early and favorable action on the merits. Should Examiner Ouspenski feel that a discussion would advance this application, the Examiner is courteously invited to contact Applicants' undersigned attorney by telephone.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extension fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 5-SEP-2008

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 295-4059  
Facsimile: (202) 672-5399

By 

Rouget F. Henschel  
Attorney for Applicants  
Registration No. 39,221